



STATE OF MICHIGAN

SUPREME COURT

PATRICK MCCARTHY,
Plaintiff-Appellant,

v

EDWARD SOSNICK, ET AL,
Defendants-Appellees.

SC: 142461-2
COA: 300159-300160
Oakland CC: 2008-094425-NO;
2008-089426-NO

STATEMENTS OF THE JUSTICES DENYING THE MOTION FOR
DISQUALIFICATION

September 16, 2011

YOUNG, C.J. Plaintiff has come to regard disqualification motions as a weapon of choice when he fails to obtain the judicial outcome he wants. He has unsuccessfully moved multiple times for my removal and that of other members of this and other courts. As is this one, all of plaintiff's previous disqualification motions were without legal merit or factual support and, in a word, frivolous.

On this occasion, plaintiff has moved for my disqualification, along with the disqualification of my other six colleagues on the Court and the retroactive disqualification of a former colleague. He claims (again without support) that all of us are personally biased against him. Plaintiff also claims that I am personally biased for the Department of Human Services, a state agency that is not even a party in this case, and that my participation in this case raises an appearance of impropriety.

Any claim that I am personally biased against plaintiff or for the DHS is categorically untrue and wholly without basis in fact. Any claim that my participation in

this case raises an appearance of impropriety is also categorically untrue and wholly without basis in fact. Therefore, I deny plaintiff's motion for my disqualification.

CAVANAGH, J. denies the motion for disqualification for the reasons stated in this Court's order of January 13, 2011 in *McCarthy v Sosnick, et al*, Nos 141439-40.

MARILYN KELLY, J. Plaintiff has moved for my disqualification. Plaintiff has failed to substantiate any basis for my recusal. Because I have no actual bias and there is no appearance of impropriety, nor do any other grounds exist for my disqualification, I deny plaintiff's motion.

MARKMAN, J. Plaintiff has moved for my disqualification, along with that of all other justices on the Court and even one former justice. Plaintiff has failed to substantiate any basis for my recusal in this case. Because I have no actual bias and there is no appearance of impropriety, and because no other grounds exist in support of my disqualification, I deny plaintiff's motion to disqualify me.

HATHAWAY, J. Plaintiff has moved for my disqualification. However, plaintiff has failed to substantiate any basis for my recusal. Because I have no actual bias and there is no appearance of impropriety, nor do any other grounds exist supporting my disqualification, I deny plaintiff's motion.

MARY BETH KELLY, J. Plaintiff has moved for my disqualification. Plaintiff has failed to substantiate any basis for my recusal. Because I have no actual bias and there is no appearance of impropriety, nor do any other grounds exist for my disqualification, I deny plaintiff's motion.

ZAHRA, J. Plaintiff has moved for my disqualification, along with that of all other justices on the Court and one former justice who would not, under any procedural circumstance, be in a position to rule on plaintiff's case. Plaintiff has failed to substantiate any basis for my recusal. Because I have no actual bias and there is no appearance of impropriety, nor do any other grounds exist for my disqualification, I deny plaintiff's motion.